

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

FILED

99 DEC 14 AM 8:34

U.S. DISTRICT COURT  
N.D. OF ALABAMA

ENTERED

DEC 14 1999

*AWB*

ASSURANCE COMPANY OF AMERICA, )  
Plaintiff, )  
v. )  
FRANK R. TAPSCOTT, TAPSCOTT )  
CONSTRUCTION CO., INC., )  
et al., )  
Defendants. )

CIVIL ACTION NUMBER:  
99-C-2256-S

FINDINGS OF FACT AND CONCLUSIONS OF LAW ON MOTION  
FOR DEFAULT JUDGMENT AGAINST FRANK R. TAPSCOTT AND TAPSCOTT  
CONSTRUCTION COMPANY

Based on plaintiff's verified Motion for Default, the Court makes the following Findings of Fact.

1. Defendants Frank R. Tapscott and Tapscott Construction Company were served by certified mail on September 7, 1999.

2. More than twenty (20) days have elapsed since defendants were served with process, and they have failed to answer or otherwise respond to the complaint.

3. Defendants are neither infants or incompetent persons.

Based on these Findings, the Court concludes that Frank R. Tapscott and Tapscott Construction Company have defaulted.

Done this 13<sup>th</sup> day of December, 1999.

A handwritten signature in black ink, appearing to read "U. W. Clemon", written over a horizontal line.

United States District Judge  
U. W. Clemon